

AMENDED IN SENATE JULY 9, 2009
AMENDED IN SENATE JUNE 22, 2009
AMENDED IN ASSEMBLY APRIL 22, 2009

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 647

Introduced by Assembly Member Yamada

February 25, 2009

An act to amend Section 4465 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 647, as amended, Yamada. Vehicles: registration and title information.

Existing law requires the Department of Motor Vehicles to furnish the legal owner of record of a vehicle, upon his or her request, information regarding the current registration status of the vehicle, including the license plate number and address of the registered owner of the vehicle. Existing law also authorizes the department to charge a fee to pay for the cost of furnishing this information.

Existing federal law establishes the National Motor Vehicle Title Information System (NMVTIS) program in the United States Department of Justice (DOJ) to provide an electronic means to verify and exchange titling, brand, and theft data among motor vehicle administrators, law enforcement officials, prospective purchasers, and insurance carriers in participating states.

This bill would require the department, *by January 1, 2010*, to be in full compliance with the federal Anti Car Theft Act of 1992 and the DOJ's rules governing the federal National Motor Vehicle Title

Information System (NMVTIS), ~~and to the extent practicable. The bill also would require the department, by that date, to eliminate any restrictions to consumer access to titling, branding, and theft information provided by the department to NMVTIS, by January 1, 2010, to ensure that prospective purchasers have instant and reliable access to California's data.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 (a) The electronic National Motor Vehicle Title Information
4 System (NMVTIS) is a national federally mandated vehicle history
5 database maintained by the United States Department of Justice
6 (DOJ) to ensure that all states, law enforcement agencies, and
7 consumers have access to titling, branding, and theft information
8 that will enable them to verify the accuracy and legality of motor
9 vehicle titles before transfer or registration of the vehicle occurs.

10 (b) The Department of Motor Vehicles (DMV) currently restricts
11 the release of the information it provides to NMVTIS to law
12 enforcement agencies and other governmental agencies. Consumers
13 are presently unable to access this information from NMVTIS and
14 the DMV.

15 (c) NMVTIS requires that prospective purchasers have instant
16 and reliable access to titling, branding, and theft data in the
17 NMVTIS system.

18 (d) The DMV is currently working to comply with the federal
19 law to provide titling, branding, and theft data so that consumer
20 access may be provided by the American Association of Motor
21 Vehicles Administrators (AAMVA), the system operator for
22 NMVTIS. The DMV has stated that it plans to allow full consumer
23 access to the information it is providing to NMVTIS by November
24 30, 2009, in compliance with DOJ rules.

25 SEC. 2. Section 4465 of the Vehicle Code is amended to read:

26 4465. (a) A legal owner of record of a vehicle may request,
27 and the department shall furnish, information regarding the current
28 registration status of the vehicle, including the license plate number

1 and address of the registered owner of the vehicle. The department
2 may charge a fee to pay for the cost of furnishing this information.

3 (b) ~~The~~ (1) *By January 1, 2010, the* department shall be in full
4 compliance with the federal Anti Car Theft Act of 1992 (Public
5 Law 102-519) and the United States Department of Justice (DOJ)
6 rules governing the federal National Motor Vehicle Title
7 Information System (NMVTIS) (49 U.S.C. Sec. 30501 et seq.),
8 ~~and to the extent practicable.~~

9 (2) *Notwithstanding paragraph (1), by January 1, 2010, the*
10 *department* shall eliminate any restrictions to consumer access to
11 titling, branding, and theft information provided by the department
12 to NMVTIS, ~~by January 1, 2010,~~ to ensure that prospective
13 purchasers have instant and reliable access to California's data.